

Central America Benchmarks

We recommend developing compact-based assistance programs with the countries of Central America. These multi-year, interagency compacts should inform both U.S. bilateral assistance, and loans and aid provided by the international financial institutions. Furthermore, they should minimize the level of funding provided to the central governments, maximizing support for independent organizations and civil society organizations. They should include the full engagement of governments, local civil society, and the private sector and require consultation with the Organization of American States (OAS), the United Nations, local civil society organizations and international NGOs. The compacts should utilize relevant and measurable benchmarks to assess progress toward the joint goals and objectives of enhancing accountability, strengthening the rule of law, respect for human rights and improving citizen security as outlined below.

Accountability and Anti-Corruption

- Guarantee and respect the constitutionally mandated independence and separation of powers of government institutions that underpin democracy such as the Human Rights Ombudspersons, the Attorney General, Judiciary, and oversight bodies.
- Guarantee independent, transparent and participatory merit-based processes for the selection or appointment of judicial candidates, Attorneys General, Human Rights Ombudspersons, and oversight bodies that adhere to international standards, and avoid the erosion of democratic governance and constitutions.
- Guarantee the protection of special anti-impunity and anti-corruption prosecutorial units within Attorney General's Offices, specialized courts and tribunals, and strengthen internationally-backed anti-corruption mechanisms, and bolster their capacities by ensuring adequate resources and support for their investigations.
 - In Guatemala, this includes the Special Prosecutor against Impunity (FECI), the Prosecutorial Unit against Organized Crime, and high-risk courts, and in the case of Honduras, the Special Unit against Corruption Networks (UFERCO) and special anti-corruption courts.
- Refrain from advancing and reverse existing legislation and policies that limit the ability of the Attorneys General and special anti-corruption units to investigate corruption, protects public officials and individuals from being held accountable, and/or decreases penalties for grand corruption, including legislation that amounts to any kind of amnesty measure.
- Establish an agenda for the adoption or reform of criminal statutes to implement the Inter-American Convention Against Corruption—including with respect to:
 - a. conflict of interest
 - b. solicitation or participation in bribery
 - c. transnational bribery
 - d. illicit enrichment
 - e. bank secrecy
 - f. extradition
- Improve public service delivery by reforming and strengthening civil service laws to ensure merit-based appointment and hiring processes.

- Strengthen transparency and public disclosure in government, and establish or strengthen policies that guarantee access to public information as part of the commitment to end corruption and impunity, including for public procurement processes, public contracts and public spending.
- Create or strengthen protection programs for threatened judges and prosecutors.

Human Rights and Civic Space

- Guarantee, as provided in the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights, the rights and protection of the press, civil society organizations, and human rights defenders and civil society activists, including anti-corruption activists, and indigenous, Afro-descendent, LGBTQTI+, and women's rights activists.
- Effectively investigate and prosecute perpetrators and intellectual authors of threats and attacks against human rights defenders and other civil society activists, including those alleged to be by state actors.
- Ensure continued cooperation by governments and security forces with prosecutors and investigative judicial officials on historic human rights cases, including access to all relevant military and police records.
- Create and strengthen special prosecutorial offices to conduct prompt and effective investigations and prosecutions of threats and deaths of human rights defenders, civil society activists, and independent press, and create and strengthen protection mechanisms for threatened defenders, journalists and activists, including by ensuring the participation of human rights organizations in advisory bodies and consultation with individual beneficiaries about protective measures.
 - Request the advice of the Office of the UN High Commissioner for Human Rights or the Inter-American Commission on Human Rights on strengthening the human rights mechanisms in each country and agree to review implementation status of recommendations.
- Provide adequate resources to the Offices of the Human Rights Ombudsperson, ensure merit-based, transparent appointment process, and require the Ombudsperson's offices report on abuses against all human rights defenders including journalists, activists, women, indigenous, Afro-descendent and LGBTQTI+ organizations. The reports must include actions to address abuses.
- Adopt concrete measures to reverse or prevent additional legislation or regulation or executive decrees that put restrictions or levy penalties on civil society activists and/or organizations, journalists and media outlets, violating freedom of speech and association, and cease the spurious or excessive use of the legal system against civil society actors and journalists.
- Adopt measures to prevent the excessive use of force against protesters and journalists covering protests, and suspend, investigate, and prosecute security forces involved in such abuses.
 - Establish and follow a protocol on handling mobilizations and protest that is consistent with international human rights standards and ensures protection and safety of protesters.

- Adopt the use of police body cameras to be worn at all times and made available to the Attorneys General and Human Rights Ombudspersons when accusations of abuses by police or security forces arise.
- Establish or strengthen procedures for investigating and sanctioning excessive use of force or other abuses of authority by police forces during protests and mobilizations.
- Include courses on human rights, sexual harassment, and racial, religious and ethnic tolerance, as well as de-escalation and conflict resolution, in police trainings.

Elections and Campaign Financing

- Adopt or strengthen measures and legislation that prevents private corporations, appointed government officials, and other entities with government contracts from financing electoral campaigns.
- Require transparent reporting of campaign contributions from all sources on a regular basis during electoral campaigns and prior to the elections.
- Guarantee support of public financing of political campaigns.
- Reform or strengthen electoral tribunals or electoral oversight bodies to ensure free, fair and transparent elections.

Justice, Law Enforcement and Citizen Security

- Refrain from politicizing the military so they can fulfill their mandates regarding national security, as well as the police, so they can effectively enforce the law and combat crime while protecting human rights.
- Withdraw the military from policing functions, and ensure that the military and police have distinct, separate functions that are clearly and publicly established.
- Ensure sufficient government resources are allocated to evidenced-based, youth violence prevention programs, designed to:
 - Engage youth, including youth involved with gangs, in high crime communities, and establish transparent and periodic review processes at the municipal level with participation from civil society and local businesses.
 - Support youth engaged in violence, providing healthy and safe ways to leave gangs and criminal groups and post incarceration services and establishing access to trauma counseling for youth.
- Ensure sufficient government resources are allocated to evidence-based programs designed to reduce gender-based violence, intra-family violence, and femicides. Programs should include educational programs for young men and women related to the roles and responsibilities regarding gender-based violence, and programs for the participation of women and LGBTQI+ persons in reviewing allegations of abuse.
- Strengthen the capacity of police inspector generals and internal control bodies, including methods and procedures to prevent, investigate and discipline police misconduct and wrong doing, including gender-based violence against female police officers, provide relevant training, create or strengthen civil society oversight bodies for police forces.
- Adopt community policing guidelines.

- Strengthen criminal code measures to penalize parties, politicians, government officials, and members of the private sector for involvement in corruption, and national and/or transnational criminal organizations.

Food Security and Resilience to Climate Change

- Ensure governments are directing sufficient resources toward:
 - Decreasing food insecurity in the Dry Corridor and food insecure areas through increased humanitarian assistance to impoverished communities and implementation of agricultural strategies to combat the changing climate and build resilience such as strengthened watershed management, community and household water catchment and storage, micro irrigation systems, soil and water conservation techniques, and use of drought resistant crop strains.
 - Implementing national food security and nutrition strategies, with a focus on reactivating rural production for local consumption.
 - Establishing credit programs such as Credimujer in Honduras or Savings for Change in El Salvador to provide rural women access to credit for local agricultural production.
 - Funding education in rural areas so that young people can develop individual and collective entrepreneurial skills along with sustainable agricultural practices that allow them to move beyond subsistence farming.
- Provide incentives for schools, hospitals, prisons, and other public institutions to purchase food from local agricultural producers.
- Establish systems for strong consultation with and oversight of farmers' organizations, with strong transparency and accountability mechanisms from governments.
- Guarantee that agricultural development programs are in appropriate ministries rather than in the security forces.

Poverty Reduction

- Provide monthly cash transfers to families living at or below the poverty line, with a focus on women heads of household and indigenous and Afro-descendent families, such as the Bono Familiar program in Guatemala to arrest growing inequality, create jobs and support local economic recovery.

Fiscal Reforms, Policies and Management and IFI Oversight Mechanisms

- End tax avoidance and evasion through closing loopholes and tax havens.
 - Forge a regional agreement that prioritizes the eradication of tax evasion and avoidance gradually, reducing it by 50% over a five-year period, and then by 75% over the following ten years, similarly with tax havens.
- Increase direct taxes on financial transactions, property, personal wealth and income, inheritance, and corporate and capital gains for wealthy citizens, avoiding impacts on poor, lower middle and middle classes.
- Prioritize public investment in inclusive growth over tax incentives for foreign investors to strengthen domestic markets, create jobs and improve food security.

- Ensure processes to review all tax incentives for national and international businesses using a cost-benefit analysis to determine the impact they have on government revenue and social spending.
- Establish regular consultations with civil society groups including small to medium producers, labor organizations, women's groups, and indigenous and Afro-descendent organizations, to review macro- and micro-economic policies addressing poverty and inequality.
- Develop budgets with clear, credible and predictable measures to guarantee equity in budget allotment with the goal of reducing poverty, establishing gender and racial equity, and increasing environmental sustainability.

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